

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DONALD GENE FARMER,

Petitioner,

v.

MAGGIE MILLER-STOUT,

Respondent.

CASE NO. C14-5450 BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 14), and Petitioner Donald Farmer’s (“Farmer”) objections to the R&R (Dkt. 15).

On August 15, 2014, Judge Strombom issued the R&R recommending that the Court dismiss Farmer’s petition as time-barred. Dkt. 14. On September 5, 2014, Farmer filed objections. Dkt. 15. On September 17, 2014, the Government filed a response. Dkt. 16.

The district judge must determine de novo any part of the magistrate judge’s disposition that has been properly objected to. The district judge may accept, reject, or

1 modify the recommended disposition; receive further evidence; or return the matter to the
2 magistrate judge with instructions. Fed. R. Civ. P. 72(b)(3).

3 In this case, Farmer provides no valid basis for his objections. The Court agrees
4 with Judge Strombom that Farmer's petition is time-barred by a significant amount of
5 time and that Farmer has failed to show that he is entitled to any tolling. Therefore, the
6 Court having considered the R&R, Farmer's objections, and the remaining record, does
7 hereby find and order as follows:

- 8 (1) The R&R is **ADOPTED**;
- 9 (2) Farmer's petition is **DENIED**;
- 10 (3) A Certificate of Appealability is **DENIED**; and
- 11 (4) This action is **DISMISSED**.

12 Dated this 21st day of October, 2014.

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14 BENJAMIN H. SETTLE
15 United States District Judge
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